IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.57 OF 2006

IN

WRIT PETITION NO.507 OF 2006

Smt.Anita Babu Kamble ...Petitioner.

vs.

The Central Social Welfare Board & others. ...Respondents

Ms.Vaishali Vikhare i/b. Bhavesh Parmar, for Petitioner.

Mr.S.D.Bhosale, for Respondent nos.1 and 2.

CORAM: D.K.DESHMUKH,J.

DATED: 26th February, 2007.

P.C.:-

1. By this petition, the petitioner alleges that the respondents have willfully disobeyed the order dated 5.7.2005 passed in Writ Petition no.3816 of 2005 and the order dated 3.3.2006 in Writ Petition no.507 of 2006. It appears that the petitioner was aggrieved by the order of the disciplinary authority. That order was challenged in the Writ Petition no.3816 of 2005. The Court

under the impression that the remedy of the departmental appeal is available to the petitioner, permitted the petitioner to withdraw the petition, but directed the Appellate authority to decide the appeal expeditiously. The appeal was not decided, therefore, Writ petition no.507 of 2006 was filed, and the Court again by order dated 3.3.2006 directed the Appellate authority to decide the appeal.

2. A review petition bearing stamp no.30005 of 2006 was filed for review of the order dated 5.7.2005. That review petition has been decided by order dated 7.2.2007. By that order in the review petition, by consent of parties order dated 5.7.2005 has been recalled. Therefore, there is no question of respondents obeying order dated 5.7.2005. Perusal of the order dated 3.3.2006 shows that it was based on the order dated 5.7.2005 passed in Writ Petition no.3816 of 2005, as that order does not survive in view of the order passed in the Review Petition the order dated 3.3.2006 in Writ Petition no.507 of 2006. also cannot survive. Therefore, there is no question of respondents obeying that order. In this view of the matter therefore, the contempt petition is disposed of.